

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
DECEMBER 16, 1964

A regular meeting of the City Council of the City of Lodi was held beginning at 8 p.m. of Wednesday, December 16, 1964, in the City Hall Council Chambers.

**ROLL CALL** Present: Councilmen - Culbertson, Dow, Kirsten, Walton  
and Brown(Mayor)

Absent: Councilmen - None

Also present were City Manager Glaves, City Attorney Mullen, Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES      On motion of Councilman Culbertson, Dow second, the Minutes of December 2, 1964 were approved as written and mailed after changing the word "three" to "two" in the 13th line of the paragraph entitled "County-Wide Committee for Anti-Poverty Projects."

## PUBLIC HEARINGS

Notice thereof having been published in accordance with law, Mayor Brown called for public hearing on the appeal of Mr. Mardee Kidd from the decision of the City Planning Commission in denying his request for a change in zoning from the R-1 One-Family Residential zone and the R-3 Limited Multiple Family Residential zone to the C-S Commercial-Shopping zone for property located on the north side of West Lodi Avenue between the east line of the West Campus of Lodi High School and Ham Lane. City Manager Graves gave a brief resume of the supplementary report from the Planning Commission, copies of which had been distributed to the Council.

Mr. Lindsay P. Marshall, representing Mr. Kidd, said that all the requirements of the C-S zoning requirements have been complied with, that signatures had been obtained from some 530 residents west of Ham Lane favoring a shopping center at this location which he felt was an indication that there were some 5,000 people living west of Ham Lane not being served by any supermarket in the area, and that Mr. Kidd, having made calculations indicating there was a need for a shopping center in this vicinity, was ready to go ahead with development. In regard to the 1960 referendum election at which rezoning to C-1 Commercial had been rejected, Mr. Marshall felt the subsequent Code requirements for a C-S Commercial Shopping district in a sense nullified the objections to the C-1 zoning. He also stated that the development of a shopping center would provide for the widening of both arterials at this corner and provide ample off-street parking and people would not be backing out of the five driveways at this corner as at present. The following people spoke in favor of the rezoning: Mr. Ted Schneider; Mrs. Lorena Heyd, 1537 South Sacramento Street; and Charles Stevens, 1025 Lake Home Drive

The following people spoke against the rezoning: Mr. Robert H. Rinn, 820 West Walnut St.; Mr. Malen Stroh, 227 South Crescent Avenue; Mr. Albert Dehr, 32 South Ham Lane, Mr. Ray Jansen, Superintendent of Schools, 1147 Green Oaks Way; and Mr. Oliver Lee, 220 South Ham Lane. There were letters and petitions signed by 45 residents of the Lodi Avenue area objecting to the proposed rezoning.

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Since there were no other people in the audience who wished to be heard, the Mayor closed the public hearing portion of the hearing.

After statements by members of the Council concerning future plans for Lodi Avenue, the problem of locating a shopping center adjacent to a school, traffic problems, commercial zoning on the north side and the 1960 referendum, it was moved by Councilman Walton that the appeal of Mardee Kidd be denied and the decision of the Planning Commission rejecting the request for rezoning of the property on the north side of Lodi Avenue between the West Campus and Ham Lane to C-S be upheld. His motion was seconded by Councilman Dow and carried by the following vote:

Ayes: Councilmen - CULBERTSON, DOW, KIRSTEN and WALTON

Noes: Councilmen - BROWN

#### PLANNING COMMISSION

Mr. Graves reported the following actions taken by the Planning Commission at its meeting of December 14, 1964:

1. Denied the request of Mr. Louis Fugazi for a change in zoning from R-2 One Family Residential zone to R-3 Limited Multiple Family Residential zone for Lot 1 of Fugazi Manor located on North Pacific Avenue, south of Reiman Street.
2. Recommended to the City Council that the Royal Host Addition and a parcel of land adjacent thereto be rezoned from R-1 and R-4 to C-2 Commercial. The matter was set for public hearing on January 6, 1965 on motion of Councilman Dow, Kirsten second.

#### COMMUNICATIONS

- JOHN CAPELL  
RE STORM  
DRAINAGE
- A letter was read from Mr. John F. Capell asking the Council to consider including in its Capital Outlay budget for 1964-65 the storm drainage project covering the area of the proposed Woods Senior Elementary School site and Erich Park to Lodi Lake. City Manager Graves said that this phase of the master Storm Drainage Plan would be considered in conjunction with the entire plan.
- ABC LICENSE
- Notice was read of the application for Alcoholic Beverage License, On Sale Beer and Wine, original application, of Niki Werner, Niki's Tavern and Restaurant, 118 North Sacramento Street.
- LODI  
AMBULANCE  
SERVICE  
RE RATES
- A letter was read from Lodi Ambulance Service requesting approval of a rate of \$1.00 per mile to be added to the present base rate for service within the City of Lodi. The Council voiced no objections to the increase which would become effective January 15, 1965.
- KETTLEMAN-  
CHURCH ST.  
INTERSECTION  
RES. NO. 2783  
ADOPTED
- Members of the Council had each received a copy of a letter from the Lowe's Village Safety Committee requesting the Council to ask the State Division of Highways to install signals at Church Street and Kettleman Lane for the safety of the children who cross Kettleman Lane. The Safety Committee is interested in having a pedestrian-activated signal at this crossing and snapshots of this type of signal at Fourth and California Streets in Stockton were presented by the Committee. The City Manager gave a resume of a memorandum he had received from the Public Works Director concerning a pedestrian-activated signal in

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South San Francisco. Mr. Graves said the South San Francisco problem differed from the local problem. He also stated that the South San Francisco signal was installed against the recommendation of the Division of Highways. Mrs. Merle Wilson of the Safety Committee told the Council that if they could not have a crossing guard, a push-button light would be best, and the Committee was convinced that the signals to be installed at Hutchins and Kettleman would not solve the problem. Councilman Dow moved the adoption of Resolution No. 2783 requesting and urging the State Division of Highways to install a pedestrian-activated signal at Church Street and Kettleman Lane. His motion was seconded by Councilman Walton with the request that copies of the resolution be sent to the Division of Highways offices in Stockton and Sacramento, State Senator Alan Short, Assemblyman Robert T. Monagan, and Governor Brown.

Mr. Albert Dehr of the Lodi Safety Council stated the Safety Council wants the problem solved in the best possible manner, but was not sure that the push-button signal was best. He said that signals were a traffic device and not a safety device, and that accidents might happen as a result of signals being installed. He requested the Council to follow the recommendation of the Division of Highways.

Mr. John White, 1548 South School Street, and Mrs. Loraine Heyd, 1537 South Sacramento Street, both spoke in favor of having signals installed. Mrs. Donna Cofer, 1630 South Church Street, said the State had not solved the problem, but would do something if pushed and the Committee wanted action. Mr. Don Di Franco, 1912 Collette Street, President of the Lodi Safety Council, said that he had been told by the Division of Highways an overpass would be best. However, he was told the cost would be prohibitive.

After considerable discussion by members of the Council, the motion carried by the following vote:

Ayes: Councilmen - DOW, KIRSTEN and WALTON

Noes: Councilmen - CULBERTSON and BROWN

Councilman Culbertson said he opposed the motion because it was a specific request against the specific advice of experts.

#### REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$150,367.63 were approved on motion of Councilman Dow, Culbertson second.
SPECS PICKUP TRUCKS	Mr. Graves presented specifications for two pickup trucks. On motion of Councilman Dow, Walton second, the City Council approved the specifications and authorized calling for bids.
SEWAGE TREATMENT PLANS	Study of the Sewage Treatment plans being next on the agenda, the Mayor called on Mr. M. Carleton Yoder, Consulting Engineer, who gave a resume of present conditions. He then reviewed the two alternate plans which he had proposed, the activated sludge process and the use of oxidation ponds, and made cost comparisons, answering questions from the Council.
RES. NO. 2784 ADOPTED	Mr. Graves brought up the City's present problem of disposing of sewage effluent and industrial wastes. The City's 303-acre parcel is not large enough to handle the present flow, and in order to dispose of the excess water the

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lessee, Mr. George Emde, has had to rent a 120-acre parcel north of the City's acreage. Even with the additional acreage, Mr. Emde was experiencing difficulty in getting rid of the water. The 120 acres which Mr. Emde rented has recently been sold and the new owner is not interested in renting it for grazing, but intends to remove the clover and use the land to raise tomatoes. Mr. Graves said that to keep the problem from being aggravated, the City needs this 120 acres and another 100 acres for peak loads. He recommended that the City proceed immediately to acquire the 120-acre parcel before the clover is removed, and that additional acreage be acquired before September. Mr. Charles Ferdun, 315 Del Mont, asked if aeration ponds could be used for treating the wastes and then having it go into White Slough. He was told that the effluent from the treatment plant was mixed with the cannery wastes and that it would not be feasible to treat it twice. Councilman Kirsten moved the adoption of Resolution No. 2784 authorizing and directing condemnation of real property for sanitary sewage disposal purposes. His motion was seconded by Councilman Walton and carried unanimously.

After further discussion of the treatment plant plans, it was moved by Councilman Culbertson that the Council adopt the oxidation pond system as proposed in the Yoder report. His motion was seconded by Councilman Kirsten and carried unanimously.

APPLICATION  
FOR FEDERAL  
FUNDSRES. NO. 2785  
ADOPTED

The City Manager stated that an application to the Federal Government was being prepared for advance funds for Public Works Planning for the Hall of Justice-Public Safety Building and that a resolution authorizing the application was required. On motion of Councilman Dow, Culbertson second, the City Council adopted Resolution No. 2785 authorizing the application for an advance to provide for the planning of public works under the terms of Public Law 560, 83rd Congress, as amended.

AGREEMENT  
WITH COUNTY  
RE WEST LANE

Mr. Graves presented an agreement between the City and the County in regard to the construction of West Lane within the City Limits. He explained that the County is to do all the work, including the acquisition of right of way for the City. On motion of Councilman Culbertson, Walton second, the City Council approved the agreement with the County of San Joaquin authorizing said County to acquire certain parcels of property within the City of Lodi on the City's behalf and to extend the construction project of West Lane to the south line of Kettleman Lane and authorized the Mayor to execute said agreement on behalf of the City.

## ORDINANCES

GARBAGE RATE  
AND PERMIT  
TO HAUL  
INCREASEDORD. NO. 776  
ADOPTED

ORDINANCE NO. 776, entitled "AN ORDINANCE AMENDING SECTION 11-3 AND SECTION 11-8 OF THE CODE OF THE CITY OF LODI AND THEREBY PROVIDING FOR AN INCREASE IN THE FEES FOR GARBAGE SERVICE TO PRIVATE DWELLINGS AND AN INCREASE IN THE FEE FOR PERMIT FOR PERSON TO REMOVE OWN GARBAGE," having been introduced at the regular meeting of December 2, 1964, was brought up for passage on motion of Councilman Dow, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - CULBERTSON, DOW, WALTON and BROWN

NOES: Councilmen - NONE

ABSTAIN: Councilmen - KIRSTEN

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STADIUM  
LIGHTS  
ACCEPTED

The City Manager stated that the stadium lights had been brought up to specifications and were ready for acceptance. On motion of Councilman Culbertson, Kirsten second, the Council accepted the stadium lighting system as installed by C. T. & F., Inc.

PARKING ON  
HOLLY EAST  
OF CALIF. ST.

Councilman Culbertson said he had been approached by Mr. Mardee Kidd concerning the parking situation on Holly Drive east of California Street. Because of all-day parking in this area, Mr. Kidd had suggested that one-hour parking be installed. Mr. Graves said he would prefer to request employees in this area not to use the street for all day parking, but if this was not successful in eliminating such parking, parking time limits should be established.

LABOR  
RELATIONS  
INSTITUTE

The Council's attention was called by Councilman Culbertson to an institute on labor relations which is being held in 21 Segundo on February 1, 2 and 3, 1965. Councilman Culbertson felt it would be worthwhile for some of the Council and/or Administration to attend.

APPOINTMENTS

RECREATION  
COMMISSION

Mayor Brown stated that the terms of Mrs. Althea Groves and Mr. Charles Veregge on the Recreation Commission would expire on December 31. Mrs. Groves did not wish to be reappointed, so Mayor Brown suggested that Mr. Walter Katnich be appointed in her place. On motion of Councilman Walton, Dow second, the City Council expressed its thanks to Mrs. Groves for her twelve years of service on the Recreation Commission and appointed Walter Katnich and Charles Veregge to the Recreation Commission for four-year terms ending December 31, 1968. Both appointments will be effective upon ratification by the Lodi High School and Lodi Elementary School Boards.

EXECUTIVE  
COMMITTEE  
CVD, LCC

Councilman Kirsten accepted the appointment as representative of the City of Lodi on the Executive Committee of the Central Valley Division, League of California Cities.

ADJOURNMENT

There being no further business, the Council adjourned at 11:30 p.m.

*Beatrice Garibaldi*

Attest: BEATRICE GARIBALDI  
City Clerk